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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/732,870	12/09/2003	James S. Voss	200314445-1	6857

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EXAMINER	
BEMBEN, RICHARD M	
ART UNIT	**PAPER NUMBER**
2622	

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06/15/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/732,870	VOSS ET AL.	
	Examiner	Art Unit	
	Richard M. Bemben	2622	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *09 December 2003*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-16* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-16* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date *12/02/05*.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Claim Objections

1. The following claims are objected to because of the following informalities:

Claim 6, "A method comprising the steps of;" should be changed to "A method comprising the steps of:"

Claim 8 is a method claim that is dependent on apparatus/system claim 5. For the purpose of rejection, examiner considers claim 8 to depend on claim 6.

Claim 14 includes "=", please remove.

Appropriate correction is required.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1-16 are rejected under 35 U.S.C. 102(b) as being anticipated by McConica et al. (DE 10111434), hereafter "McConica".

[Claim 1] A system comprising:

a digital camera *(p. 11, l. 25 – p. 19, l. 6; Figs. 1&2, "120")* that comprises a lens *(p. 14, l. 16 – p. 15, l. 1; Figs. 1&2, "138")*, an image sensor *(p. 14, l. 17 – p. 16, l. 26; Figs. 1-3, "140")*, a display *(p. 37, ll. 16-24)*, a video output port *(p. 17, ll. 19-30; Fig. 1,*

"146"), and processing circuitry *(p, 14, ll. 17-29; p. 16, l. 27 – p. 17, l. 31; Figs. 1&2, "142")*;

a television color bar is stored in the digital camera *(p. 17, l. 32 – c. 19, l. 6)*;

a television coupled to the digital camera *(p. 11, l. 25 – p. 14, l. 12; p. 20, l. 30 – p. 23, l. 32; Figs. 1, 2 and 5, "300")*; *Also refer to p. 37, ll. 16-24.*

and autocalibration firmware *(note that applicant's specification defines firmware as "software algorithm", p. 3, ll. 22-23)* that runs on the processing circuitry that displays the color bar on the television, images the color bar displayed on the television, detects the imaged color bar, and automatically calibrates the video signal sent from the digital camera to the television to display the best possible image on the television *(p. 28, l. 33 – c. 33, l. 11; Fig. 6)*.

[Claim 2] The system recited in claim 1 wherein the autocalibration firmware displays a sample image on the television *(p. 28, l. 33 – c. 33, l. 11; Fig. 6)*.

[Claim 3] The system recited in claim 1 wherein the television color bar comprises a stored image *(p. 17, l. 32 – c. 19, l. 6)*.

[Claim 4] The system recited in claim 1 wherein the digital camera comprises a nonvolatile storage device and the television color bar comprises an image stored in the nonvolatile storage device *(p. 17, l. 32 – c. 19, l. 6)*.

[Claim 5] The system recited in claim 1 wherein the autocalibration firmware prompts the user to point the digital camera at the television *(p. 27, ll. 7-10; p. 37, ll. 21-23)*.

Claims 6, 7 and 8 are method claims corresponding to apparatus/system claims 1, 5 and 2, respectively. Therefore, claims 6, 7 and 8 are analyzed and rejected as previously discussed with respect to claims 1, 5 and 2, respectively.

[Claim 9] Refer to the rejection of claim 1.

[Claim 10] Refer to the rejection of claim 2.

[Claim 11] Refer to the rejection of claim 3.

[Claim 12] Refer to the rejection of claim 4.

[Claim 13] Refer to the rejection of claim 5.

Claims 14, 15 and 16 are method claims corresponding to apparatus/system claims 1, 5 and 2, respectively. Therefore, claims 14, 15 and 16 are analyzed and rejected as previously discussed with respect to claims 1, 5 and 2, respectively.

Conclusion

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Hilliard et al. (US 6,654,493) disclose a method and system for calibrating and characterizing an image capture device is disclosed. Using a calibrated display of

known colorimetric properties, a feedback loop method and system is disclosed such that the image capture device capture device can be calibrated.

Maggi (US 6,798,446) discloses a calibration system that activates all or a majority of a display with the same value, such as with the same color. The camera is pointed at the display, but doesn't have to precisely pick up the whole display. The computer compares the pixel information received in the camera photosensor, and can store an appropriate correction factor.

Tomaszewski (US 5,918,192) discloses a method and apparatus where images captured by a digital camera can be enhanced to account for distortions due to the camera itself and due to the monitor on which images will be displayed.

Tanaka et al. (US 6,081,254) disclose a color correction system including an imaging apparatus which inputs or outputs an image signal from a signal processor into or from an image device such as an input device such as a scanner or a camera or an output device such as a display device or a print device and which is constituted so as to correct colors by inputting or outputting image signals via a color converter

Hiramatsu et al. (US 2003/0117435) disclose a profile creating system has, as profile creating modes, a display mode for the purpose of creating a profile of a display and a printer mode for the purpose of creating a profile of a printer, and one of the modes can be selected. In the display mode, the screen of the display displaying a predetermined reference image is captured by a digital camera, and a computer creates a profile on the basis of the captured image. On the other hand, in the printer mode, a predetermined reference image is printed by the printer, the printed image is

photographed by the digital camera, and the computer creates a profile on the basis of the captured image.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Richard M. Bemben whose telephone number is (571) 272-7634. The examiner can normally be reached on 8:30AM-5:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Vivek Srivastava can be reached on (571) 272-7304. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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